

INVESTIGATION REPORT

Inspection Date: 1/28/2021

FILE NO: 121-003-1114
FILE NAME: (b) (6) 121-003-1114
FIRM NAME: n/a
ADDRESS: (b) (6)
TELEPHONE NUMBER: (b) (6)
COUNTY: (b) (6)

COMPLAINANT'S NAME: n/a
ADDRESS: n/a
TELEPHONE NUMBER: n/a
COUNTY: n/a

INTRODUCTION

This for-cause investigation was conducted pursuant to the authority of the Florida Pest Control Law Chapter 482 F.S. and the Federal Pesticide Law, FIFRA, in response to a written directive to investigate a complaint received from the Environmental Protection Agency Region 4, for the alleged sale and distribution of counterfeit unregistered pesticides.

CASE INVESTIGATION

On 1/6/2021 Inspector Todd Blancheri and I did a no notice inspection at the residence of (b) (6) and came outside to meet us at (b) (6) front porch. I presented my EPA Credentials to (b) (6) and explained we were there in regards to a complaint received regarding sale and distribution of Seresto Flea & Tick Collars. (b) (6) immediately broke down and started crying saying this is a nightmare repeatedly. Once (b) (6) calmed down (b) (6) signed the EPA NOI I presented to (b) (6). (b) (6) went on to explain that her identity was stolen in October 2019 and (b) (6) name, address, and phone number were put on the Seresto website (Exh D). (b) (6) received many calls and notices from irate individuals threatening legal action. (b) (6) denied (b) (6) had any connection with sale and distribution of Seresto Flea & Tick Collars. (b) (6) continued to be extremely emotional with us. (b) (6) would not give a statement nor would (b) (6) let us inside the home. I gave her my business card and told her to call me if (b) (6) changed (b) (6) mind regarding writing an affidavit. Inspector Blancheri and I left at this time. I took photos of the home, the vehicle parked in front of the home, and the license plate before I departed.

On 1/14/2021 Inspector Blancheri and I went back to the (b) (6) residence to try and get a statement. I observed the same vehicle was parked in front of the house but was backed in instead of pulled in like during our last visit. I went to the front door and knocked, no one came to the door and no curtains moved like someone peeking out. I repeated this two more times, still

no answer. At this point Inspector Blancheri and I departed the scene. I took more photos of the home and vehicle before departing.

CASE REVIEW/SUMMARY

Upon review of the information given, affidavits taken, interviews performed, and documentation provided to me during my investigation I make the following observations:

1. Inspector Blancheri and I were able to contact (b) (6) on 1/6/2021 but not on 1/14/2021.
2. (b) (6) was extremely emotional the entire time we were there.
3. (b) (6) refused to write a statement but did sign the NOI. We were refused entry into the home.

BACKGROUND

I have never conducted an inspection on this person or facility before.

No physical or documentary samples were taken during this investigation.

Michael Walters
Environmental Specialist III



United States
ENVIRONMENTAL PROTECTION AGENCY

Washington, DC 20460

Notice of Inspection

Office of Enforcement and Compliance Assurance

Facility Name

(b) (6)

Facility Address

(b) (6)

Name of Facility Official

(b) (6)

Title

Resident

By my signature, I represent that I am an owner, operator or agent in charge of the facility being inspected, and attest that the EPA, Designated State or Political Subdivision Employee or Officer identified on this form presented his or her credentials prior to issuing this Notice of Inspection.

Facility Official's Signature

(b) (6)

Authority for Inspection

For the purpose of inspecting and obtaining samples of any pesticides or devices packaged, labeled and released for shipment, and samples of any containers or labeling for such pesticides or devices, in places where pesticides or devices are held for distribution or sale [FIFRA § 9(a) (7 U.S.C. § 136g)]; and for the purpose of inspecting and obtaining copies of those records specified in FIFRA § 8 (7 U.S.C. § 136f) and 40 C.F.R. Part 169.

Reasons for Inspections (Check applicable boxes)

- ☐ Routine Inspection Violation
☒ For Cause Inspection Suspected:

Additional Information:

To conduct an inspection per written directive 121-003-1114.

Name of Inspector Michael Walters

Signature of Inspector Michael Walters

Date 1/6/2021

Title ESTE

Time 945am

Address 3125 Conner Blvd Tallahassee, FL 32399

Note: The absence of a Facility Official's signature on this form does not invalidate this Notice of Inspection, or establish that consent to the inspection was not provided or that the proper procedures were not followed.



United States
ENVIRONMENTAL PROTECTION AGENCY
Washington, DC 20460

Statement
Office of Enforcement and Compliance Assurance

Refused to make statement
Mdw 01/6/2021

(b) (6)

I hereby swear/affirm that the foregoing statement is true to the best of my knowledge.

Signature refused to sign Mdw 1/6/2021 Title Resident

Name

Address:

City

(b) (6)

Subscribed and sworn to before me at (City) Mary Esther State FL

this January in the year 2021 day of 6

Signature of Inspector [Signature]

Address 3125 Corner Blvd Ste N Tallahassee, FL 32399

REPORT DATE: 12/14/2020
REPORT
REC'D BY: M. Newton

**STATE OF FLORIDA
PESTICIDE ENFORCEMENT
WORK REQUEST**

LOG NO: 121-003-1114
TYPE: MKP
REFERRAL TYPE: OT

FILE NAME: _____

ADDRESS: _____

CITY: _____

Phone: _____

(b) (6)

REQUEST:

The Department was contacted by the US EPA Region 4 regarding a tip about the Bayer Seresto Flea & Tick Collars they received alleging sale and distribution of counterfeit unregistered pesticides. The information received alleged that the counterfeit unregistered pesticide products were purchased on the website <https://serestobayercollar.com> but the flea and tick collars were shipped from China. Subsequently, Bayer confirmed the flea collars were counterfeit.

Please conduct a for cause inspection to determine if the products are in compliance with FIFRA. The inspector should use Federal credentials when performing the inspection to include labels and any brochures and flyers associated with the products. Collect at least fifteen distribution or shipping records per product if possible. Additionally, please collect inbound shipping records to determine where these products are being received from. Please see the attached request for EPA Region 4.

CROSS-REFERENCES:

website <https://serestobayercollar.com>

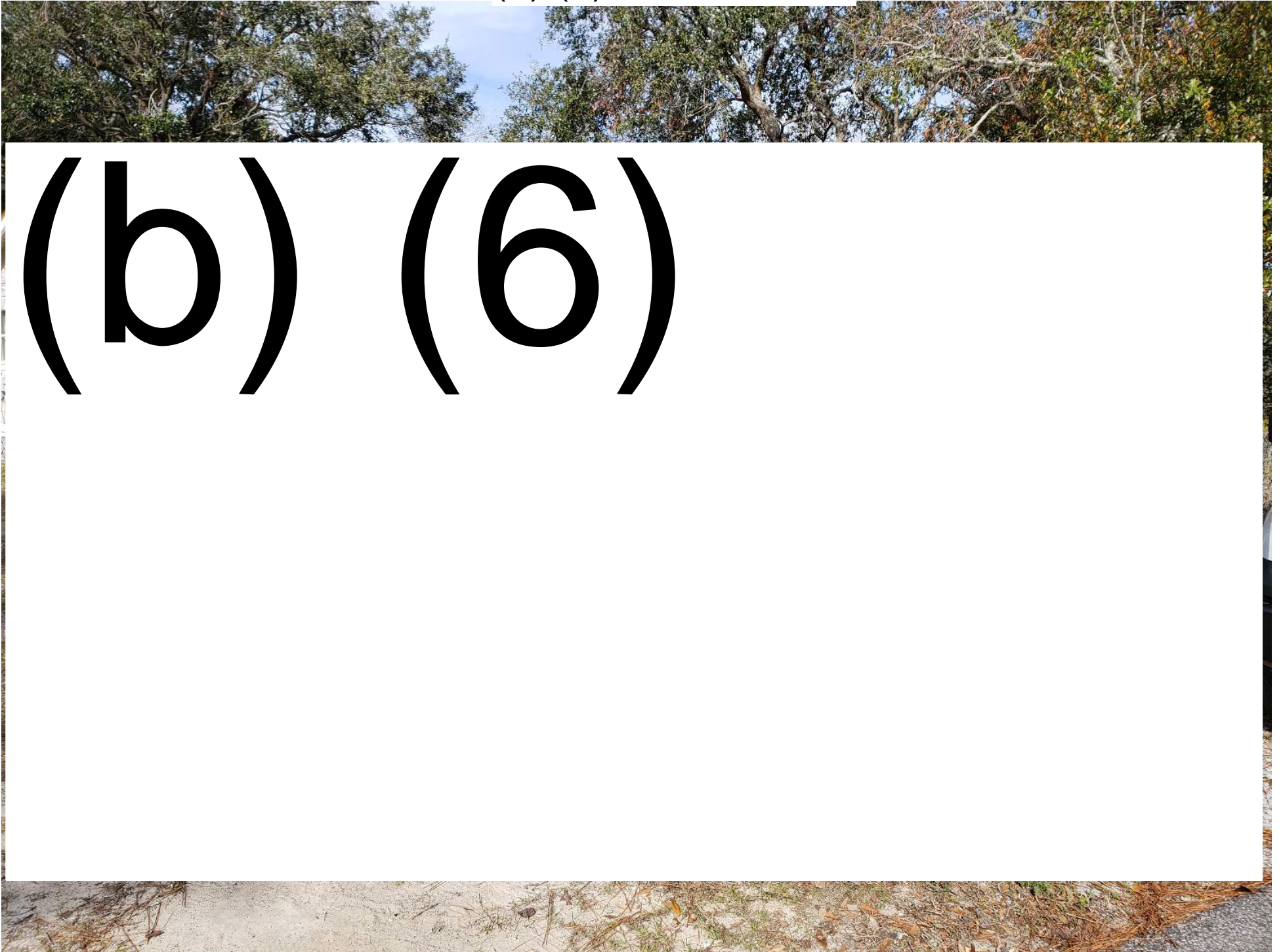
REFERRED TO INSPECTOR: Walters (1114) **DATE:** 1/04/2021

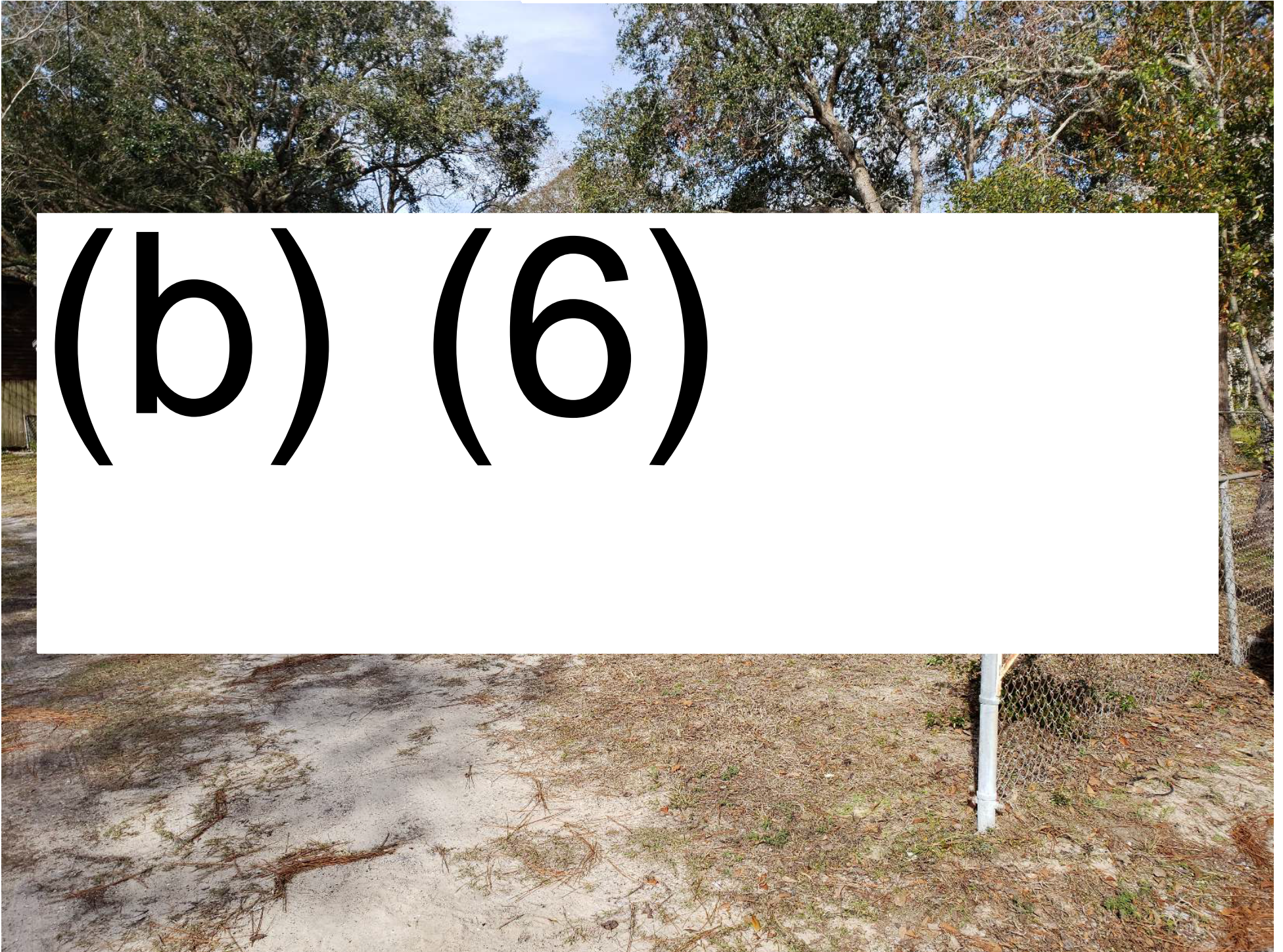
REMARKS:

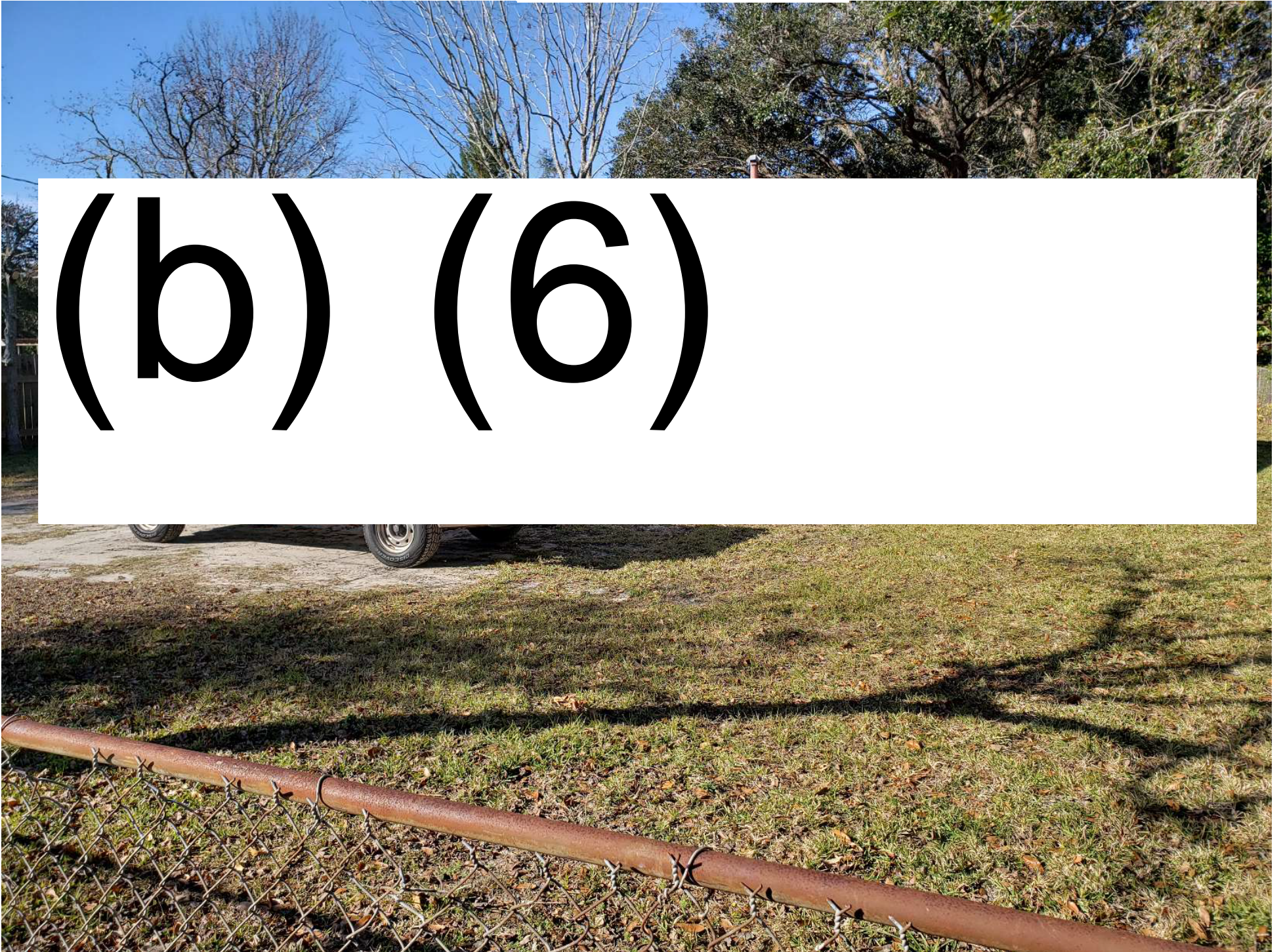
COPIES:

Walters (1) e-mail
Blancheri (1) e-mail
Smithy (1) e-mail

Okaloosa County







REVIEWER: Barksdale DATE: April 15, 2021 FILE TYPE: PEI

FILE NAME / FILE NUMBER: ^{(b) (6)} /121-003-1114

CURRENT RELATED CASES: None

PRIOR ACTIONS:

OUTPUTS: **PEI-1**

PRIORITY AREAS: Alleged sale and distribution of counterfeit unregistered pesticides.

OTHER:

DOC I.D. NO. **None Collected**

Brand Name:

EPA Reg. No.:

EPA Est. No.:

AI:

Lot/Batch #:

State Registered:

Comments from label review:

Violation:

Registrant:

Recommend: IRD – Failure to cooperate with an investigation

Comment: (b) (6) was uncooperative
during the investigation



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

June 29, 2021

MEMORANDUM

SUBJECT: (b) (6) – File No. 121-003-1114

FROM: Phillip Beard
Case Development Officer

THRU: Alan Annicella
Chief
Pesticides Enforcement Section

TO: File

On December 8, 2020, a referral was received from the Criminal Investigation Division alleging the website www.serestobayercollar.com operated from (b) (6) (b) (6) s allegedly selling counterfeit Bayer Seresto flea and tick collars. The referral listed (b) (6) – File No. 121-003-1114, as the point of contact for the website and address.

A referral dated December 11, 2020, was sent to the Florida Department of Agriculture and Consumer Services (FDACS) to investigate at the above-mentioned address. The inspector conducted an inspection on January 6, 2021, with (b) (6) (b) (6) The inspector indicated in his inspection report that he explained the nature of the complaint to (b) (6) regarding the alleged sale and distribution of counterfeit Seresto flea and tick collars. According to the inspector, (b) (6) denied entry to inspect (b) (6) residence and (b) (6) did not provide a signed statement and was uncooperative.

On January 14, 2021, the inspector returned to (b) (6) residence to attempt to get a signed statement, however, no one answered the door.

With no evidence collected to support the alleged sale and distribution of counterfeit Seresto flea and tick collars in this investigation, EPA Region 4 finds that no further action is warranted at this time. If additional information is received, the matter will be reopened.